

New Orleans Trial Stymied By Fight to Oust Garrison

NEW ORLEANS (AP) — A legal fight to oust Dist. Atty. Jim Garrison as prosecutor has the Dean A. Andrews Jr. perjury trial stymied.

Andrews, 44, a rotund, slang-talking lawyer charged with lying to a grand jury in Garrison's Kennedy assassination probe, had three witnesses on tap for the Criminal District Court session today.

Judge Frank J. Shea, after making some sharp complaints, agreed yesterday, to give Andrews until Friday at 9 a.m. to locate and subpoena three other witnesses.

"I don't want to cut you off on any witnesses," the judge told Andrews, "but you wait until the last minute to file this motion — then expect me to wait while you fish around for witnesses."

ANDREWS sprang his surprise motion on Garrison at the start of the trial yesterday, just as Shea was preparing to begin the jury selection process.

The former assistant district attorney in Jefferson Parish could not identify Clay Shaw as his assassin, but said he would do so with fair and impartial administration of justice.

Andrews also asked that trial be stayed while he perfected his arguments on the motion and rounded up witnesses. Shea said no.

Andrews discharged defense lawyer Sam Zelden at the opening of the trial and took over his own defense. Andrews said he and Zelden had irreconcilable differences over strategy.

AFTER rejecting Andrews' plea for delay, Shea appointed Zelden to handle an immediate appeal to the state Supreme Court for Andrews. Then Shea

ordered a hearing in a conspiracy here to kill Kennedy.

Shaw is charged with conspiracy to murder Kennedy. No trial date has been set.

Shaw's lawyers were spectators during the first day of Andrews' trial and said they would attend all its sessions.

ordered the hearing to proceed.

At midafternoon, after a brief recess to take a telephone call from the high court, Shea said: "In case you don't know, Mr. Andrews, the Supreme Court says go on with the case."

Andrews questioned 22 witnesses, including Garrison, probing for support of his motion, and seeking information on the state case.

"Whew," he sighed, when the judge recessed the trial at 9:30 p.m. "Fat man's had a busy day."

THE trial — first in Garrison's probe of the assassination of President John F. Kennedy — deals with Garrison's charge that Andrews lied when he said he could not identify Clay Shaw as Clay Bertrand.

Garrison contends that Shaw, 54, a wealthy retired New Orleans businessman, used Clay Bertrand as an alias while en-